

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

EUGENE SCALIA, Secretary of Labor, United States :
Department of Labor, :
 : No. 20-CV-3596 (SJF)(ST)
 :
Plaintiff, :
v. :
 :
 :
RAMIZA FOOD CORP., :
 :
 :
Defendant. :

NOTICE OF APPLICATION FOR DEFAULT JUDGMENT
AGAINST DEFENDANT RAMIZA FOOD CORP.

PLEASE TAKE NOTICE that pursuant to Rule 55(b) and Local Civil Rule 55.2, upon the Declaration of Amy Tai with the supporting exhibits thereto, Plaintiff Eugene Scalia, Secretary of Labor, United States Department of Labor (the “Secretary”), hereby submits this application for default judgment against Defendant Ramiza Food Corp. (“Ramiza”), in advance of the hearing before the Honorable Sandra J. Feuerstein on the 18th day of September 2019, at 10:30 a.m., by teleconference at (877) 336-1280, access code 7215690.

As set forth in the Declaration of Amy Tai, default judgment is appropriate because the well-pleaded factual allegations in the Secretary’s Second Amended Complaint, ECF No. 36 (attached as Ex. A to Tai Decl.), establish that Defendant Ramiza willfully violated the minimum wage, overtime, recordkeeping, investigation, and anti-retaliation provisions of the Fair Labor Standards Act of 1938, as amended 29 U.S.C. § 201, *et seq.* (the “FLSA”), and the Clerk of the Court has entered default against Ramiza, ECF No. 57 (attached as Ex. B to Tai Decl.). Accordingly, the Secretary respectfully requests that this Court grant the Secretary’s application for default judgment and enter a default judgment: (1) finding that Defendant Ramiza willfully

violated the FLSA's minimum wage, overtime, recordkeeping, investigation, and anti-retaliation provisions; (2) ordering that the Secretary is entitled to liquidated damages for the wages that Ramiza failed to timely pay to its employees, plus liquidated damages in an amount equal to the back wages owed to be determined at trial against the non-defaulting defendant¹ in related Case No. 18-CV-3594-ST; and (c) enjoining Ramiza from violating the minimum wage, overtime, recordkeeping, investigation, and anti-retaliation provisions of the FLSA in the future. Damages for Ramiza's FLSA violations will be determined at trial against the non-defaulting defendant in related Case No. 18-CV-3594-ST.

DATED: September 8, 2020
New York, New York

Respectfully submitted,

KATE S. O'SCANNLAIN
Solicitor of Labor

JEFFREY S. ROGOFF
Regional Solicitor

s/ Amy Tai
AMY TAI
Senior Trial Attorney
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*Attorneys for Plaintiff Secretary of Labor
Eugene Scalia*

¹ In the related matter, Case No. 18-CV-3594-ST, Magistrate Judge Tiscione granted the Secretary's Motion for Sanctions against Defendant Syeda Shahtaj, and will be striking her answers and entering default against her. *See* ECF Nos. 58, 60.

CERTIFICATE OF SERVICE

I, Amy Tai, an employee of the United States Department of Labor, hereby certify that on September 8, 2020, the foregoing application for default judgment, including the Declaration of Amy Tai and supporting exhibits, was filed with the Clerk of the Court by ECF and served in accordance with Local Civil Rule 55.2(c) upon Defendant Ramiza Food Corp. by U.S. Priority Mail to its last known addresses:

Ramiza Food Corp.
351 N. Central Avenue
Valley Stream, NY 11580

/s/ Amy Tai
AMY TAI